IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE.

and
HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL No.1409 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 19/08/2004 in WPMP No.18823 of 2004 in W.P.No.14607 of 2004 on the file of the High Court.)

Between:

Mathrusree Educational Society,

(Regn. No.1990/97),

Ramayampet Village & mandal,
Medak District,

Rep. by its Vice-President cum Correspondent

E.Pandarinath

..... APPELLANT

AND

1 State of A.P.,

rep. by its Prl. Secretary to Govt.,

Higher Education Dept., at Secretariat,

Hyderabad.
2 A.P.State Council of Higher Education,

Saifabad, Hyderabad.
3 Osmania University, Hyderabad,

rep. by its Registrar.
4 Sri Sai Educational Society,

C/o Sneha Junior College,

Ramayampet,

Medak Dist.

.....RESPONDENTS

Counsel for the Appellant :Mr. N.SRIDHAR REDDY

Counsel for the Respondent No.1: Govt. Pleader for Higher Education

Counsel for the Respondent No.2: Mr. K.Ramesh Babu

Counsel for the Respondent No.3: Mr.Deepak Bhattacharjee

Counsel for the Respondent No.4: None

The Court made the following:

JUDGMENT: (Per Hon'ble the Chief Justice)

Challenge is to the interim order passed by the learned single Judge declining to grant any interim order. Appellant is the writ petitioner and wanted the suspension of the proceedings dated 11-08-2004 by which permission was accorded to the fourth respondent to start new Private Unaided Degree College during the academic year 2004-2005 at a place where appellant is also running a Degree college.

In such like matters where pursuant to the order impugned in the writ petition, in case students have already been admitted, hardly there can be any interference with the same and for that reason, we find no ground to interfere except making clear that admissions made by fourth respondent pursuant to the impugned order in the writ petition shall be subject to result of the writ petition and will not prejudice the case of appellant in prosecuting the writ petition, which has already been expedited for being heard.

Writ Appeal is accordingly dismissed.

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DEVINDER GUPTA, C.J.

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B.SESHASAYANA REDDY, J

20-09-2004

bsc

To

1. The Principal Secretary to Govt.,

Higher Education Dept.,

Secretariat,

Hyderabad.
2 A.P.State Council of Higher Education,

Saifabad, Hyderabad.

3. 2 CCs to Govt. Pleader for Higher Education, High court buildings,

Hyderabad (OUT).
4. 2 CD copies